

Examiner-Initiated Interview Summary	Application No. 10/706,100	Applicant(s) FEIN, SEYMOUR H.	
	Examiner ANDREW D. KOSAR	Art Unit 1654	

All Participants:

(1) ANDREW D. KOSAR.

(2) Brian Fairchild.

Date of Interview: 5 February 2010

Status of Application: After Appeal Brief

(3) ____.

(4) ____.

Time: 10:00

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____.

Part I.

Rejection(s) discussed:

all of record

Claims discussed:

all pending

Prior art documents discussed:

art of record (esp. Fjellestad-Paulsen)

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Andrew D Kosar/
Primary Examiner, Art Unit 1654

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: On 1/29/10 the examiner contacted Applicant's representative to propose amendments to the claims that would place the claims in condition for allowance. The examiner suggested amending the claims to be below the quantity of desmopressin found in the child/infant dosage. Such dosages would have been considered ineffective, being below the therapeutic dosage, and therefore there would have been no motivation to have formulated it at an 'ineffective' dosage. Applicant's representative indicated a willingness to discuss the amendments with Applicant. On 2/5, the examiner and Applicant's representative came to agreement on the amendments that would place the claims in allowable form. The examiner would issue a Notice of Allowance, rather than an Examiner's Answer to the Appeal Brief. The claimed ranges are below the lowest art-recognized dosage and find support in the specification. Further, the ranges are supported by MPEP 2163.05 (III).